S.B. CIVIL SECOND APPEAL NO.52/2007
(Commercial Taxes Officer & Ors. vs. Amar Chand & Ors.)

Date :: 19.02.2007

HON'BLE MR. JUSTICE PRAKASH TATIA

Mr.Sangeet Lodha, for the appellants.

Heard learned counsel for the appellants.

In the suit for declaration and injunction only plaintiffs produced evidence and defendant including the appellants did not chose to produce any evidence. The trial court held that the plaintiffs were in possession of the suit property since last more than 25 years. The appellants department initiated proceeding to auction the house treating the house to be of defendant No.2 Amar Chand, but in the trial court did not produce any document to show that house was sought to be put to auction in accordance with law.

In view of the above, no substantial question of law involves in this appeal.

The appeal is dismissed.

[PRAKASH TATIA],J.

A.K. Chouhan/-